

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

JONATHAN D. CLARK, Plaintiff, vs. JOHN GROSS, Officer; RON HARRIS, Officer; CRYSTAL JOHNSON, State's Attorney; and JUDGE HINRICHS Defendants.	Civ. 14-4076-KES ORDER DISMISSING CASE FOR FAILURE TO PAY INITIAL PARTIAL FILING FEE
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This matter is before the court on its own motion. On May 13, 2014, plaintiff filed his complaint in this matter along with a motion for leave to proceed in forma pauperis. Dockets 1, 2. On May 14, 2014, the court granted plaintiff leave to proceed in forma pauperis and assessed an initial partial filing fee pursuant to 28 U.S.C. § 1915(b)(1). Docket 5. In doing so, the court warned plaintiff that his case would be dismissed if he failed to pay the initial partial filing fee by June 16, 2014. Four extensions of time were granted to plaintiff, with the latest deadline being November 3, 2014.

The November 3, 2014, deadline has passed, and plaintiff has neither paid the initial partial filing fee in this matter nor asked for an additional extension of time in which to do so. Plaintiff's case is therefore dismissed for

failing to comply with the court's order. *See* Fed. R. Civ. P. 41(b); *see also* *Conley v. Holden*, No. 03-3908, 2004 WL 2202452, at *1 (8th Cir. Sept. 21, 2004) (affirming district court's dismissal of inmate's case for failing to pay the assessed initial partial filing fee). Accordingly, it is

ORDERED that plaintiff's complaint (Docket 1) is dismissed without prejudice because plaintiff failed to comply with this court's orders. A separate judgment will be entered in accordance with this order.

Dated November 14, 2014.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE